VIRGINIA:

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

Denis Rivera,
Plaintiff,

Civil Action No.: 7:14-cv-00573

V.

Sgt. J. B. Dickenson, et al.,
Defendant(s).

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

SEP 15 2016

JULIA C. DUDLEY, CLERK
BY: [signature]
DEPUTY CLERK

** Motion To ADD Information **

#1.) On September 6/2016 I, Plaintiff Denis A. Rivera, Pro Se filed a Motion To Add Information in which Pl. stated that he would send to the court today the attached hereto Exhibits #1, #2 and #5. Exhibit #5 is also another example that Plaintiff makes carbon copies of everything he writes to the Court.

#2.) Defendants on their Objection to Plaintiff's Motion Requesting Costs in page #3 stated that Plaintiff on December 15, 2014 commenced another Civil Action in this court, with other two offenders, by signing his name to a Complaint (See DePaola v. Virginia Department of Corrections, et al., Civil Action No. 7:14-cv-00692. On April 8, 2015, the Court entered an Order severing the suit into three separate actions. Plaintiff's action remains pending (See Rivera v. Virginia

Department of Corrections, et al, Civil Action No. 7:15-cv-00156.

#3.) It is correct that the action remains pending and it is also correct that Plaintiff signed his name also. What is not correct that Plaintiff mailed the action or some of the motions. What Plaintiff mailed via first-class mail was the following: The Statement of Assets and Verified Statement on about 12-31-2014. The Inmate Account Report on about 1-05-2015. The Consent To fee on about 1-14-2015. Additional Evidence on about 2-23-2015 and a Request for Copies of the Docket Sheet. All of these came to about six(6) stamps which Pl. has in no way added to the Bill of Costs. On April 8, 2015 the action was severed. This is the action that Plaintiff stated that was pending during trial when the Magistrate Judge asked what was IM, which is a Solitary Confinement status use to punish and hold prisoners in Solitary Confinement among other violations. Several months later filed (Pl. filed) an Amended Complaint which was granted. The court should also have the copies of the envelopes for this action, it will show the numbers of stamps Pl. has use which have not been included, along with other ink pens and paper/carbon paper, in with this above-style action.

#4.) Your Honor I would like to state that the Sergeant John Messer stated in Exhibit #5 ever since he was moved back to C-Building of this year has continued to retaliate/abuse Plaintiff and denied Pl.'s outside rec exercises and showers. He told c/o Walker and Mallonay to slammed me on the concrete floor a couple months back when he was moved to C-Building. Well this Sgt. and Defendant J.B. Dickenson work in the same shift (A-Break Morning Shift) and on Sept. 3/2016 when Defendant J.B. Dickenson was taking the rec list and denied Plaintiff his rec Sgt. J. Messer was also taking outside rec and shower list at the bottom tier cells. Several officers have told Plaintiff that they know about the lawsuit that Pl. filed on the Defendants that the word has spread out quick. Plaintiff has been receiving a lot of retaliation and once again for over a week from this date back Pl. has not received outside rec exercise (fresh air, etc.) and showers despite his serious Medical Condition that requires Plaintiff to take showers three (3) times a week. Plaintiff is suffering of depression, etc.

Respectfully Submitted,

September 7/2016

[signature]

Denis A. Rivera

Certificate Of Service

I, Plaintiff Denis A. Rivera, (#1125686) hereby certifies that on this 7 day of September 2016 I did in fact mailed via first-class mail a three (3) pages (Motion To Add Information) affix with Exhibits #1, #2 and #5. All in regards to Civil Action No. 7:14-cv-00573.

To:

U.S. District Court Office of the Clerk 210 Franklin Road, SW, Ste. #540 Roanoke, VA 24011

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 7 day of September 2016 in the City of Wise County, Virginia.

[signature]

Denis A. Rivera